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Remarks:

In response to the Official Action mailed July 30, 2003, Applicant respectfully requests reconsideration, reexamination and allowance of claims 1-3 and 6-14 in view the above-noted amendments and the following remarks.

The Examiner has rejected claim 1 under 35 U.S.C. 102(b) as anticipated by Goldman, U.S. Patent No. Re. 16,869. The Examiner characterizes Goldman as disclosing a manicuring instrument that comprises a handle defining a longitudinal axis, a cleaning head end (near the ferrule) and a grasping end. The Examiner states that the cleaning head end defines a securing region, and a cleaning tip formed of a plurality of fibers that are rigid (supported by the passage on page 1 at lines 49-56). The Examiner states further that the cleaning head is secured to the handle at the cleaning head end, and that the handle and tip define a longitudinal axis.

The Examiner has next rejected claim 2 under 35 U.S.C. 103(a) as unpatentable over Goldman. The Examiner concedes that Goldman does not disclose the bristle material being polyester, but concludes that it would have been obvious for one of ordinary skill in the art at the time the invention was made to make the bristles from polyester, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious engineering choice.

The Examiner next rejected claims 3 and 7 under 35 U.S.C. 103(a) as unpatentable over Goldman in view of Varma, U.S. Patent No. 6,269,515. The Examiner cites the Varma patent characterizing that it discloses an apparatus for cleaning an electrode that comprises a handle that defines a longitudinal axis having a cleaning head and a grasping end, in which the handle is a hollow tubular member defining a central bore and the cleaning tip is formed with dimensions to fit within the bore. The Examiner states further that the swab so disclosed is non-bending. The Examiner thus concludes that It would have been obvious for one of ordinary skill in the art to modify the securing arrangements, including the handle, for the securing structure of Varma so that a ferrule or extra securing band is not required thereby minimizing manufacturing costs and reducing the materials needed for manufacture.

Next, the Examiner has rejected claim 6 under 35 U.S.C. 103(a) as unpatentable over Goldman in view of Kachigian, U.S. Patent No. 5,084,005. The Examiner cites Kachigian for its disclosure of a swab in which a swabbing tip may be secured to a rigid handle structure by

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ultrasonic welding. The Examiner concludes that it would have been obvious to one of ordinary skill in the art to use the method of securing by using ultrasonic welding as taught by Kachigian in order to keep debris, dust particles, or bacteria from the cleaning tip which can be disruptive in electromechanical components.

Next, the Examiner has rejected claims 8, 9, 13, and 14 under 35 U.S.C. 103(a) as being unpatentable over Goldman in view of Bozarjian, U.S. Patent No. 6,187,104. The Examiner characterizes Bozarjian as disclosing a cleaning implement and method that has a tether secured to the handle-grasping end, and that the tether is secured through a handle bore. The Examiner further states that the tether may be removable or permanent, and that it would have been obvious for one of ordinary skill in the art to apply the teachings of Bozarjian in including a removable or permanent tether to the swab so that the swab is always nearby or on hand when cleaning.

The Examiner has next rejected claim 10 under 35 U.S.C. 103(a) as unpatentable over Goldman in view of Gradone, U.S. Patent No. 3,712,296, characterizing the Gradone patent as disclosing a swab that has a handle, a cleaning head end a grasping end, and that the swab has a securing region and a cleaning tip. The Examiner states that Gradone further discloses a grip portion mounted externally on the handle, which grip portion is provided so as to avoid human contact with the handle, which is desired in the medical field. In concluding, the Examiner states that it would have been obvious for one of ordinary skill in the art to attach an external grip portion to a handle, as it may be desired to avoid the possibility of transferring dust or human oils when working with electro-mechanical devices in a clean room.

Last, the Examiner has rejected claims 11-12 under 35 U.S.C. 103(a) as unpatentable over Goldman in view of Gradone and in further view of Lisowski, U.S. Patent No. 5,937,473. The Examiner cites Lisowski for its teaching a tether or "wrist loop" disposed between a grip portion and handle. The Examiner has concluded that it would have been obvious to one of ordinary skill in the art to add a tether to the swab devices of Goldman and Gradone so that the swab will always be nearby, hooked, or worn around the wrist.

Applicant has amended claim 1 to indicate that the swab of the present invention includes an elongated handle defining a longitudinal axis and having a cleaning head end and a grasping end, which cleaning head end defines a securing region. The swab further includes a cleaning tip that is formed from a plurality of extruded, compressed fibers formed by pulling the fibers

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through a die compressing the fibers into a substantially rigid, elongated cleaning head. The cleaning head is secured to the handle at the cleaning head end, and the handle and cleaning tip define a longitudinal axis.

Applicant submits that, as amended, claim 1 is not anticipated by the Goldman patent. Specifically, it is Applicant's position that claim 1 is not anticipated by that patent that patent fails to disclose a cleaning tip that is formed from a plurality of extruded, compressed fibers formed by pulling the fibers through a die compressing the fibers into a substantially rigid, elongated cleaning head. Even if one were to "discount" the forming "method" as has been urged by the Examiner, that is, discount the pull-truding of the fibers, it is applicant's position that the Goldman patent still fails to disclose a cleaning tip that is formed from a plurality of extruded, compressed fibers. As such, applicant submits that the rejection of claim 1 under Section 102 as anticipated by the Goldman patent is improper and should be withdrawn.

As to the rejection of claim 2 as unpatentable over Goldman, it is applicant's position that claim 2 is allowable for the same reasons that the claim 1 is allowable over the Goldman patent. That is, because Goldman fails to disclose a cleaning tip that is formed from a plurality of extruded, compressed fibers, it cannot have, without more, rendered the claimed invention obvious to one of skill in the art at the time of the invention.

The Examiner's rejection of claims 3 and 7 as unpatentable over Goldman in view of Varma is likewise traversed. Specifically, because the combination of Goldman and Varma still fails to disclose a cleaning tip that is formed from a plurality of extruded, compressed fibers, this combination does not render the claimed invention obvious. As such, Applicant respectfully requests that the Examiner withdraw this basis for rejection.

As to the Examiner's rejection of claim 6 as unpatentable over Goldman in view of Kachigian, it is Applicant's position that this combination of references fails to disclose the specifically claimed structure, namely, the cleaning tip that is formed from a plurality of extruded, compressed fibers, and as such, is improper. To this end, Applicant respectfully requests that this rejection be withdrawn.

In the Examiner's rejection of claims 8, 9, 13, and 14 as unpatentable over Goldman in view of Bozarjian, the Examiner has failed to make a prima facie showing of obviousness in that the art of record does not disclose the cleaning tip that is formed from a plurality of extruded,

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compressed fibers. As such, this rejection is improper, and Applicant submits, should be withdrawn.

Likewise, the Examiner's rejection of claims 10 and 11-12 are improper and should be withdrawn for the reasons stated above directed to claim 1, namely that the art of record (individually or in any combination) fails to disclose a cleaning tip that is formed from a plurality of extruded, compressed fibers.

As such, it is applicant's position that, even discounting the limitation of pull-truding the fibers, that the art of record, individually or in any combination, fails to disclose a cleaning tip that is formed from a plurality of extruded, compressed fibers.

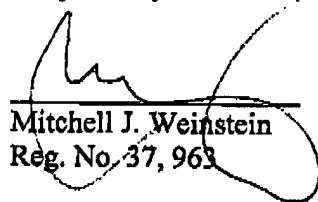
In conclusion, Applicant submits that in view of the above-noted amendments and remarks, claims 1-3 and 6-14 are allowable over the art of record and respectfully and earnestly solicits early indication of same.

Applicant believes that there is no fee due in connection with the present amendment. If, however, a fee is due, the Commissioner is hereby authorized to charge any underpayment, or credit any overpayment, to the Deposit Account No. 23-0920.

Should the Examiner believe that a telephone interview would expedite prosecution and allowance of the present application, she is respectfully requested to contact the undersigned

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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Dated: October 27, 2003
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